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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,400	10/11/2001	David L. Rabbers	005306.P063	2799

7590   01/10/2005

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EXAMINER
CLARK, ISAAC R

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/976,400	RABBERS ET AL.
	Examiner	Art Unit
	Isaac R Clark	2154

-- Th MAILING DATE of this communicati n appears on th cover sh et with the corresp ndence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _11 October 2001_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under _Ex parte Quayle_, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-32_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-32_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _11 October 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _01/28/02, 09/03/02_.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)   Office Action Summary   Part of Paper No./Mail Date 12222004

DETAILED ACTION

1.   Claims 1-32 are presented for examination.

Inventorship

2.   The request for the change of inventorship in this nonprovisional application

under 37 CFR 1.48(a) is deficient because:

     a.   The original declaration filed with this application named David. L. Rabers,

Brian Scott, and Martin Susser as inventors. The request to correct inventorship

filed on 02/21/2002 does not request removing Brian Scott, nor does it contain a

statement from Scott stating that the inventorship error occurred without

deceptive intent on his or her part.

Priority

3.   This application claims priority as a continuation in part from a copending

application filed on 09/28/2001.

Drawings

4.   The Examiner contends that the drawings submitted on 10/11/2001 are

acceptable for examination proceedings.

Specification

5.   The disclosure is objected to because of the following informalities:

     b.   On Page 17, lines 9-10 of the specification, the sentence "The term

visibility has a well known-meaning remote access of databases..." is

grammatically incorrect making the meaning of the sentence unclear.

Appropriate correction is required.

6.   In the section "Cross reference to related applications, the specification indicates

that the current application is a continuation-in-part of an application identified by title,

filing date, and attorney docket number (page 1, lines 6-9). The reference is incomplete

because the application number is not provided. If a reference has matured into a

patent it is additionally required that this fact be incorporated into the present

specification in order to reflect accurate information and readily allow identification of

related documentation.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

9.   Claims 1-5, 7, 9-13, 15, 17-21, 24, 25, and 27-31 are rejected under 35 U.S.C.

103(a) as being unpatentable over Multer et al. (US 6,694,336 filed 10/04/1999)

hereinafter Multer in view of N. Borenstein, RFC 1521, MIME (Multipurpose Internet Mail Extensions) Part One, September 1993, pp. 10-11, 17, and 18 (hereinafter RFC 1521).

10.   As per claim 9, Multer teaches an apparatus comprising:

means for providing binary information (col. 6, lines 6-8) to be transferred in synchronizing a server 850 and a synchronization client associated with a handheld device 804 (Fig. 8);

means for compressing the binary information (col. 11, lines 5-8);

means for encoding the binary information according to a protocol associated with a connection between the server and the synchronization client (col. 16, lines 27-30).

11.   Multer does not explicitly teach a means for text encoding compressed binary information.

12.   RFC 1521 teaches a means for text encoding compressed binary information (Section 5.2).

13.   It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Multer and RFC 1521 because they both deal with the transfer of binary information over a network. Furthermore, the teaching of teaching of RFC 1521 to modify the synchronization apparatus taught by Multer to text encode binary information would increase the reliability of transfer over the Internet which includes systems that cannot correctly transport binary data (See RFC 1521,Page 10, first paragraph).

14.   As per claim 10, Multer teaches the apparatus of claim 9, wherein the means for compressing binary information comprises a Zip compression utility (col. 13, lines 20-21).

15.   As per claim 11, Multer and RFC 1521 as applied to claim 9 teach the apparatus of claim 9, wherein the means for text encoding comprises a Base-64 encoder (RFC 1521, Section 5.2).

16.   As per claim 12, Multer teaches the apparatus of claim 9, wherein the protocol is the hypertext transfer protocol (col. 16, lines 27-30).

17.   As per claim 13, Multer teaches the apparatus of claim 9, wherein the binary information comprises database data stored on the server (col. 6, lines 38-43).

18.   As per claim 15, Multer teaches the apparatus of claim 9, wherein the binary information comprises transaction information stored on the handheld device (col. 12, lines 8-12).

19.   Claims 1-5 and 7 are claims to the process carried out by the apparatus described in claims 9-13 and 15 respectively. Claims 1-5 and 7 are rejected for the same reasons set forth for claims 9-13 and 15.

20.   Claims 17-21 describe a computer readable medium containing instructions causing a server to carry out the process carried out by the apparatus described in claims 9-13 respectively. Claims 17-21 are rejected for the same reasons set forth for claims 9-13.

21.   Claims 24 and 25 describe a computer readable medium containing instructions causing a handheld device to carry out the process carried out by the apparatus

described in claims 9 and 15 respectively. Claims 24 and 25 are rejected for the same

reasons set forth for claims 9 and 15.

22.   As per claim 27, Multer teaches a handheld device (Fig. 8, item 804), comprising:

         a memory (col. 9 lines 40-42: inherent based on storage of files, programs, data);

         a local database 824 stored in the memory (Fig. 8);

         a user interface (Fig. 8, item 804) coupled to the local database;

         a transaction recorder (Fig. 9A, item 950) coupled to the local database, wherein

the transaction recorder to record information related to changes made to the local

database by a user of the handheld device via the user interface (col. 12, lines 8-10 and

30-35); and

         a data importer (Fig. 8, item 864) coupled to the local database, wherein the data

importer to decompress database data (col. 11, lines 5-8) receivable from a separate

computing device 850 to synchronize the local database with the separate computing

device, the database data being binary information that the separate computing device:

         compressed (col. 11, lines 5-8),

         encoded according to a protocol associated with a connection between the

separate computing device and the handheld device (col. 16, lines 27-30).

23.   Multer fails to explicitly teach that the binary information is encoded using a text

encoder.

24.   RFC 1521 teaches a means for text encoding compressed binary information

(Section 5.2).

25.   It would have been obvious to one of ordinary skill in this art at the time the

invention was made to combine the teaching of Multer and RFC 1521 because they

both deal with the transfer of binary information over a network. Furthermore, the

teaching of teaching of RFC 1521 to modify the synchronization apparatus taught by

Multer to text encode binary information would increase the reliability of transfer over

the Internet which includes systems that cannot correctly transport binary data (See

RFC 1521,Page 10, first paragraph).

26.   As per claim 28, Multer teaches the handheld device of claim 27, wherein binary

information compressed using a Zip compression utility (col. 13, lines 20-21).

27.   As per claim 29, Multer and RFC 1521 as applied to claim 27 teach the handheld

device of claim 27, wherein the text encoder comprises a Base-64 encoder (RFC 1521,

Section 5.2).

28.   As per claim 30, Multer teaches the handheld device of claim 27, wherein the

protocol is the hypertext transfer protocol (col. 16, lines 27-30).

29.   As per claim 31, Multer teaches the handheld device of claim 27, wherein the

binary information comprises database data stored on a server (col. 6, lines 38-43).

30.   Claims 6, 14, 22, and 32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Multer and RFC 1521 as applied to claims 9 and 27 above further in

view of Salas et al. (US Patent 6,233,600 filed 7/15/1997) hereinafter Salas.

31.   As per claim 14, Multer fails to explicitly teach the apparatus of claim 9, wherein

the binary information comprises metadata stored on the server.

32.   Salas teaches that the binary information comprises metadata stored on the server (col. 12, lines 52-54).

33.   It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Multer and Salas to transfer metadata from the server when synchronizing with a client. One of ordinary skill in the art would have been motivated to transfer metadata so that can identify the application to be used to operate on binary data transferred from the server (See Salas, col. 12, lines 54-59).

34.   Claim 6 is a method claim describing the process carried out by the apparatus of claim 14. Claim 6 is rejected for the same reasons as claim 14.

35.   Claim 22 describes a computer readable medium containing instructions causing a server to carry out the process carried out by the apparatus described in claim 14. Claim 22 is rejected for the same reasons set forth for claim 14.

36.   As per claim 32, Multer fails to explicitly teach the handheld device of claim 27, wherein the binary information comprises metadata stored on a server.

37.   Salas teaches that the binary information comprises metadata stored on the server (col. 12, lines 52-54).

38.   It would have been obvious to one of ordinary skill in this art at the time the invention was made to combine the teaching of Multer and Salas to transfer metadata from the server when synchronizing with a client. One of ordinary skill in the art would have been motivated to modify the handheld unit taught by Salas to transfer metadata so that the handheld user can identify the application to be used to operate on binary data transferred from the server (See Salas, col. 12, lines 54-59).

39.   Claims 8, 16, 23 and 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Multer and RFC 1521 as applied to claim 9 above further in view of

Hopmann et al. (US Patent 6,694,335 filed 10/04/1999) hereinafter Hopmann.

40.   As per claim 16, Multer fails to explicitly teach the apparatus of claim 9, wherein

the means for providing binary information to be transferred further comprises means

for parsing the binary information into smaller units.

41.   Hopmann teaches a system for providing binary information to be transferred

further comprising means for parsing the binary information into smaller units (col. 17,

lines 55-59: smaller units; col. 18, lines 1-5: parsing the data).

42.   It would have been obvious to one of ordinary skill in this art at the time the

invention was made to combine the teaching of Multer and Hopmann to modify the

synchronization system of Multer to parse the binary information into smaller units for.

One of ordinary skill would have been motivated to parse the binary data into smaller

bits to allow a user to conduct operations on a first portion of synchronized data while

waiting for the remaining data to be updated thus increasing efficiency by allowing a

user to work during what would other wise be an idle period waiting for updated data

(See Hopmann, col. 17, lines 60-66).

43.   Claim 8 is a method claim describing the process carried out by the apparatus of

claim 16. Claim 8 is rejected for the same reasons as claim 16.

44.   Claim 23 describes a computer readable medium containing instructions causing

a server to carry out the process carried out by the apparatus described in claim 16.

Claim 23 is rejected for the same reasons set forth for claim 16.

45.   Claim 26 describes a computer readable medium containing instructions causing

a handheld device to carry out the process carried out by the apparatus described in

claim 16. Claim 26 is rejected for the same reasons set forth for claim 16.

Conclusion

46.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. The following patents and publications are cited to further show

the state of the art with respect to "Method and system for transferring information

during server synchronization with a computing device".

      i.   US 2002/0056011   Nardone et al.   Database

synchronization

      ii.   US 5,991,771   Falls et al.   Transaction logging

and synchronization of databases

     Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Isaac R Clark whose telephone number is (571)272-

3961. The examiner can normally be reached on Monday-Friday 8:00am-4:30pm.

     If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A Follansbee can be reached on (571)272-3964. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

IRC

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